

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATEDDate of filing in State Engineer's Office. MAR 7 1980Returned to applicant for correction. MAY 19 1980Corrected application filed. NOV 3 1980 Map filed. JAN 21 1981The applicant. Kennecott Copper Corporation_____ of McGill

_____ Street and No. or P.O. Box No. _____ City or Town

Nevada 89318 State and Zip Code No. _____ hereby make S application for permission to change the

point of diversion, time and place of use.

of water heretofore appropriated under Certificate Record No. 331 - Book 3, Page 331 andApplication No. 1709.

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Steptoe Slough

Name of stream, lake, underground, spring or other source.

2. The amount of water to be changed. 4.454 c.f.s.

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for. Irrigation and Domestic

Irrigation, power, mining, industrial, etc.

If for stock state number and kind of animals.

4. The water heretofore used for. Irrigation and Domestic

Irrigation, power, mining, industrial, etc.

If for stock state number and kind of animals.

5. The water is to be diverted at the following point. SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 19 North,Range 63 East, Mount Diablo Base and Meridian; or at the Basset Lake Dam

Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on-unsurveyed land, it should be

spillway from which the SW Corner of said Section 35 bears S.32°54'25" W., at
stated. a distance of 3,685.80 feet.6. The existing point of diversion is located within. SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 19 North,Range 63 East, Mount Diablo Base and Meridian.

If point of diversion is not changed, do not answer.

7. Proposed place of use. See Attachment Exhibit "A" (445.4 acres)

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use. See Attachment Exhibit "B" (445.4 acres)

Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

9. Use will be from. January 1 to December 31 of each year.

Month and Day

Month and Day

10. Use has been from. May 1 to November 1 of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) This water will be diverted from the

State manner in which water is to be diverted, whether by dam or other works,

Steptoe Slough by the diversion dam at Basset Lake, where it will go over the
whether through pipes, ditches, flumes, or other conduits.spillway and be distributed to the lands it is appurtenant to by irrigationditches.

12. Estimated cost of works. \$35,000.00
13. Estimated time required to construct works. 5 years
14. Estimated time required to complete the application of water to beneficial use. 6 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Compared ha/ bc
 Protests - see Page 2
 s/G. J. Allen
 G. J. Allen
 General Manager

Kennecott Minerals Company
 Applicant A Division of Kennecott Copper
 Corporation
 By s/Richard E. Fonger
 State Water Right Surveyor
 Kennecott Minerals Company
 McGill, Nevada 89318

DENIAL

OF STATE ENGINEER

~~This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:~~

This application is hereby denied on the grounds that its issuance would threaten to prove detrimental to the public interest. No ruling is made on the merits of the protests.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....
 Completion of work filed.....
 Proof of beneficial use filed.....
 Cultural map filed.....
 Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 10th day of February,
 A.D. 2009.

[Signature]
 F012 State Engineer

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Protests Filed

Protested 2/27/81 by Loran W. Deming and/or Christine Deming

Protested 3/25/81 by Irene T. Foppiano and Gordon V. Foppiano

Proposed Lands to be Irrigated by Certificate Record No. 331

<u>Acres</u>	<u>Parcel</u>	<u>Section</u>	<u>Township North</u>	<u>Range East</u>
80	W $\frac{1}{2}$ SE $\frac{1}{4}$	10	19	63
80	E $\frac{1}{2}$ SW $\frac{1}{4}$	10	19	63
40	NW $\frac{1}{4}$ NE $\frac{1}{4}$	15	19	63
80	E $\frac{1}{2}$ NW $\frac{1}{4}$	15	19	63
160	SW $\frac{1}{4}$	15	19	63
<u>5.4</u>	NW $\frac{1}{4}$ NE $\frac{1}{4}$	34	19	63

445.4 Acres Total

Existing Place of Use - Certificate Record No. 331

<u>Acres</u>	<u>Parcel</u>	<u>Section</u>	<u>Township North</u>	<u>Range East</u>
38	SE $\frac{1}{4}$ SW $\frac{1}{4}$	2	19	63
37	SW $\frac{1}{4}$ SW $\frac{1}{4}$	2	19	63
12.6	SE $\frac{1}{4}$ SE $\frac{1}{4}$	3	19	63
7.5	NW $\frac{1}{4}$ NE $\frac{1}{4}$	10	19	63
38.1	NE $\frac{1}{4}$ NE $\frac{1}{4}$	10	19	63
73.5	S $\frac{1}{2}$ NE $\frac{1}{4}$	10	19	63
124.2	SE $\frac{1}{4}$	10	19	63
40	NW $\frac{1}{4}$ NW $\frac{1}{4}$	11	19	63
15.9	NE $\frac{1}{4}$ NW $\frac{1}{4}$	11	19	63
18	SW $\frac{1}{4}$ NW $\frac{1}{4}$	11	19	63
<u>40.6</u>	N $\frac{1}{2}$ NE $\frac{1}{4}$	15	19	63

445.40 Acres Total